



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

Mr. Doug True
Nuclear Energy Institute
1201 F Street, NW, Suite 1100
Washington DC 20004-1218

Dear Mr. True:

I am responding to the petition for rulemaking (PRM) dated February 6, 2002 (Agencywide Documents Access and Management System (ADAMS) Accession No. [ML020630082](#)), that was submitted by Mr. Anthony R. Pietrangelo on behalf of the Nuclear Energy Institute to the U.S. Nuclear Regulatory Commission (NRC). The petition was docketed as PRM-50-75 and requested that the NRC amend its regulations in Title 10 of the *Code of Federal Regulations* (10 CFR) to allow the use of an alternative break size to the currently required double-ended rupture of the largest pipe in the reactor coolant system in Emergency Core Cooling System (ECCS) evaluation models.

In response to this petition, the NRC determined that the issues raised in PRM-50-75 would be considered in an ongoing ECCS rulemaking activity involving 10 CFR 50.46a (the 50.46a ECCS rulemaking), thereby closing PRM-50-75. The NRC informed Mr. John Butler of the Nuclear Energy Institute of this decision in a letter dated October 15, 2008 (ADAMS Accession No. [ML081790179](#)) and published a *Federal Register* notice on November 6, 2008 ([73 FR 66000](#)) to inform the public.

~~As explained in SECY-16-0009, "Recommendations Resulting from the Integrated Prioritization and Re-Baselining of Agency Activities" dated January 31, 2016 (ADAMS Accession No. [ML16028A208](#)), the NRC determined that discontinuation of the 50.46a ECCS rulemaking would have a minimal adverse impact on the NRC's mission, principles, or values, and members of the nuclear power industry indicated that the industry would not be interested in implementing the voluntary rule. In the staff requirements memorandum (SRM) for SECY-16-0009 (ADAMS Accession No. [ML16104A158](#); April 13, 2016), the Commission approved the staff's recommendation to discontinue the 50.46a ECCS rulemaking effort. Under 10 CFR 2.803(i)(2), if the NRC decides not to complete a rulemaking, any associated PRM is documented as denied. Therefore, the Commission is denying PRM-50-75 without prejudice as a procedural matter in accordance with 10 CFR 2.803(i)(2). Because this is a denial without prejudice, this PRM may be resubmitted under 10 CFR 2.802 for further consideration of the issues raised.~~ For additional information, please see the enclosed *Federal Register* notice.

Sincerely,

Annette L. Vietti-Cook,
Secretary of the Commission

Enclosure:
~~[Federal Register notice](#)~~ As stated